

**MINUTES
FREMONT CITY COUNCIL MEETING
MAY 3, 2011
FREMONT CITY HALL
7:00 P.M.**

1. PRELIMINARY

1.1 Call to Order: Mayor Wasserman called the meeting to order.

1.2 Flag Salute: Councilmember Dutra led the salute to the flag.

1.3 Roll Call: Present: Mayor Wasserman, Vice Mayor Chan, Councilmembers: Natarajan, Harrison and Dutra.

1.4 Announcements by Mayor/City Manager

2. CONSENT CALENDAR

- * **2.1 Waive Reading of Ordinances:** The City Attorney read the titles of ordinances to be considered.

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council waived further readings of proposed ordinances.

Ayes:	Mayor Wasserman, Vice Mayor Chan, Councilmembers: Natarajan, Harrison and Dutra
Noes:	None
Absent:	None
Abstain:	None

- * **2.2 Approval of Minutes**

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council approved the minutes for the Special Meeting of January 11, 2011.

Ayes:	Mayor Wasserman, Vice Mayor Chan, Councilmembers: Natarajan, Harrison and Dutra
Noes:	None
Absent:	None
Abstain:	None

- * **2.3 Mayor Wasserman opened consideration of Second Reading and Adoption of an Ordinance of the City of Fremont, Amending Fremont Municipal Code by Dissolving the Environmental Services Advisory Commission and Deleting the Provisions of the Fremont Municipal Code Related Thereto**

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council continued the second reading and adoption of an ordinance to a Council meeting in June 2011.

Ayes: Mayor Wasserman, Vice Mayor Chan,
Councilmembers: Natarajan, Harrison and Dutra
Noes: None
Absent: None
Abstain: None

2.4 Mayor Wasserman opened consideration to Authorize the City's Board Member to Approve Union City's Withdrawal from the SACGISA effective February 8, 2011 and Authorize the City Manager to Execute an Amendment to the Joint Powers Agreement (JPA) Modifying the Cost Allocations for the Remaining SACGISA Members and to Take Any Other Implementing Actions

Staff responded to questions from Councilmembers.

On a motion by Councilmember Natarajan, seconded by Councilmember Chan, the City Council authorized the City's representative on the SACGISA Board of Directors to approve an agreement permitting Union City's withdrawal from the Southern Alameda County Geographic Information System Authority effective February 8, 2011, and authorized the City Manager to execute an amendment to the JPA modifying the cost allocations for the remaining SACGISA members and to take any other implementing actions.

Ayes: Mayor Wasserman, Vice Mayor Chan,
Councilmembers: Natarajan, Harrison and Dutra
Noes: None
Absent: None
Abstain: None

This item was removed from the Consent Calendar.

*** 2.5 Mayor Wasserman opened consideration of Approval of a Cost Sharing Agreement with VTA for Creek Improvement Work Associated with the Warren Avenue Grade Separation Project and the Silicon Valley Berryessa BART Extension Project**

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council authorized the City Manager or his designee to execute the Cooperative Agreement between the Santa Clara Valley Transportation Authority and the City of Fremont regarding implementation of the Agua Fria, Toroges, and Agua Caliente Creek Improvements Project to provide for the Agua Fria Creek Improvements as required for the Warren Avenue Grade Separation Project and further authorized the City Manager or his designee to enter into any future amendments to this Agreement as long as they do not increase the City's cost share amount.

Ayes: Mayor Wasserman, Vice Mayor Chan,
Councilmembers: Natarajan, Harrison and Dutra
Noes: None
Absent: None
Abstain: None

*** 2.6 Mayor Wasserman opened consideration of Approval of New Two-year Contract with Alameda County Health Care Services Agency for School-site Mental Health and Case Management Services**

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council authorized the City Manager or designee to execute a two-year contract totaling \$360,000 with Alameda County Health Care Services to implement Our Kids Our Families, expanded mental health and case management services at Fremont school sites. The second year of the contract shall be subject to adoption of the FY 2011/12 budget.

Ayes: Mayor Wasserman, Vice Mayor Chan,
Councilmembers: Natarajan, Harrison and Dutra
Noes: None
Absent: None
Abstain: None

*** 2.7 Mayor Wasserman opened consideration of Approval of Plans and Specifications and Award of Contract to the Lowest Responsible Bidder for the 2011 Asphalt Overlay, City Project No. 8234-L (PWC)**

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council:

1. Approved the plans and specifications for 2011 Asphalt Overlay, City Project No. 8234-L (PWC).
2. Accepted the bid and awarded the construction contract for 2011 Asphalt Overlay, 8234-L (PWC) to the lowest responsible bidder, Granite Construction Company, in the amount of \$3,671,039.02 and authorized the City Manager to execute the contract.

Ayes: Mayor Wasserman, Vice Mayor Chan,
Councilmembers: Natarajan, Harrison and Dutra
Noes: None
Absent: None
Abstain: None

*** 2.8 Mayor Wasserman opened consideration of Adoption of a Resolution Accepting FY 2010/11 Federal Supportive Housing Program (SHP) Renewal Funding for the Homeless Outreach for People Empowerment (HOPE) Project and Authorizing the City Manager to Execute an Agreement with HUD**

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council adopted Resolution No. 2011-23 accepting FY 2011/12 Federal SHP funding in the amount of \$269,790 and authorizing the City Manager or designee to execute an agreement with the Department of Housing and Urban Development in the amount of \$269,790.

Ayes: Mayor Wasserman, Vice Mayor Chan,
Councilmembers: Natarajan, Harrison and Dutra
Noes: None
Absent: None
Abstain: None

*** 2.9 Mayor Wasserman opened consideration of Adoption of an Ordinance to Establish Angle Parking along Capitol Avenue**

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council:

1. Found that the adoption of the ordinance is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Guideline 15301 which exempts existing facilities.
2. Allowed the ordinance establishing the Back-in Angle Parking Pilot Program on Capitol Avenue to expire on May 27, 2011.
3. Waived full reading and introduced an ordinance to allow angle parking along Capitol Avenue.

Ayes: Mayor Wasserman, Vice Mayor Chan,
Councilmembers: Natarajan, Harrison and Dutra
Noes: None
Absent: None
Abstain: None

*** 2.10 Mayor Wasserman opened consideration of Adoption of a Resolution Approving Revisions to the Police Department Retention Schedule**

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council adopted Resolution No. 2011-24 approving revisions to the Police Department retention schedule, and granting approval for the destruction of records in accordance with the Retention Schedule, subject to the review and consent of the City Attorney.

Ayes: Mayor Wasserman, Vice Mayor Chan,
Councilmembers: Natarajan, Harrison and Dutra
Noes: None
Absent: None
Abstain: None

3. CEREMONIAL ITEMS

3.1 Proclamation: Affordable Housing Month

4. PUBLIC COMMUNICATIONS

4.1 Oral and Written Communications

Jesse Schaa, Donna Hartigan, Steve Cho, and Liz Elliott (Fremont 4th of July Parade) provided an update on the upcoming 4th of July Parade and requested financial support for the parade including Council consideration to place this matter on a future agenda for discussion.

5. SCHEDULED ITEMS

5.1 Mayor Wasserman opened consideration of a Public Hearing (Published Notice) on the Use of Federal Community Development Block Grant Funds for FY 2011/12, Adoption of a Resolution Approving the FY 2011/12 Action Plan; and Authorizing the City Manager to Execute Agreements with the U.S. Department of Housing and Urban Development and CDBG Grantees

Deputy Human Services Director Arquimides Caldera provided an overview of the staff report and reviewed staff's recommendation. Staff responded to questions from Councilmembers. Mayor Wasserman opened the public hearing. There were no speakers. Mayor Wasserman closed the public hearing.

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council:

1. Held a public hearing on the proposed FY 2011/12 CDBG Program Final Statement of Community Development Objectives and Projected Use of Funds and the FY 2011/12 CDBG Action Plan.
2. Adopted Resolution No. 2011-25:
 - Approving, and authorizing the City Manager or designee to submit, the FY 2011/12 CDBG Final Statement of Community Development Objectives and Projected Use of Funds and the FY 2011/12 CDBG Action Plan.
 - Allocating FY 2011/12 CDBG funds in the amount stated herein, contingent upon adoption of the FY 2011/12 Budget by the City Council.
 - Authorizing the City Manager or designee to execute a CDBG funding agreement with HUD as described in this staff report.
 - Authorizing the City Manager or designee to execute agreements, effective July 1, 2011, with the agencies recommended for funding in the amounts set forth herein, contingent upon a finding of no significant impact in the corresponding environmental assessments, and contingent upon the adoption of the FY 2011/12 Budget by the City Council.

Ayes: Mayor Wasserman, Vice Mayor Chan,
Councilmembers: Natarajan, Harrison and Dutra
Noes: None
Absent: None

Abstain: None

6. REPORT FROM CITY ATTORNEY

6.1 Mayor Wasserman opened consideration of a Report Out from Closed Session of Any Final Action – None.

7. OTHER BUSINESS – None.

8. COUNCIL COMMUNICATIONS

8.1 Council Referrals

8.1.1 MAYOR WASSERMAN REFERRAL: Appointment of Pat Helton to the Senior Citizens Commission

By consensus, Pat Helton was appointed to the Senior Citizens Commission for a term to expire on December 31, 2014.

8.2 Oral Reports on Meetings and Events

8.2.1 Report Out on City Delegation Visit to UP Headquarters

Vice Mayor Chan and Councilmember Natarajan reported on City delegation visit to Union Pacific Headquarters.

9. ADJOURNMENT: There being no further business, Mayor Wasserman adjourned the meeting at 7:45 p.m.

Attest:

Approved:

Dawn G. Abrahamson, City Clerk

BOB WASSERMAN, Mayor